

36351/4/02
P#
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the Patent Application of

Michael J. Mullane
Serial No. 09/967250
Filing Date Sep. 28, 2001
Docket No. MJM-50X
For SNOW STOP

Information Disclosure Statement

To the Attention of

Group Art Unit _____

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is deposited with the U.S. Postal Service as first class mail, postage prepaid, addressed to the Office address indicated above on the date indicated below:

Christopher John Rudy: *Christopher John Rudy* Date: 10/19/2001.

Sir:

1. Please consider the instant information in the examination of the present patent application.
2. The following U.S. applications of the same inventor as the present application, each of which are available to the Examiner in confidence in the Office, are, or may be, generally related hereto:
 - A. Design Serial No. 29/131,960 filed on December 5, 2000.
 - B. Design Serial No. 29/148,939 filed on September 28, 2001, also entitled SNOW STOP. That design case is a continuation-in-part of the noted '960 application.
3. Submitted herewith are the following:
 - A. Form PTO-1449.
 - B. Copies of pertinent part or the whole of the following art:

Clark, US D30788. This discloses a snow guard for roofs.

Zaleski, US D254051. This discloses a snow guard.

Cline et al., US D351989. This discloses a snow stop.

Cline, US D364338. This discloses a surface mount snow guard.

Lee et al., US D364556. This discloses a snow guard.

Cline, US D372421. This discloses a heavy duty snow stop.

Cline, US D418403. This discloses a snow guard.

Mullane, US D419863. This discloses a snow guard system member.

Zaleski, US 3296750. This discloses a snow roof guard.

Cline et al., US 5282340. This discloses a snow brake.

Zaleski, US 5343659. This discloses a snow guard.

Kwiatkowski et al., US 5371979. This discloses a snow stop.

Smeja et al., US 5471799. This discloses a snow guard.

Cline, US 5522185. This discloses a snow stop.

Kwiatkowski et al., US 5570557. This discloses snow stop roofing with protrusion and/or wedge snow stop.

Kwiatkowski, US 5655334. This discloses a snow stop with convolute hook.

Lee, US 5664374. This discloses a snow guard with reinforced snow-stop and gusseted brace.

Smeja et al., US 5901507. This discloses a snow guard.

Berger Building Products Corp. This Internet download discloses your one stop snow guard shop, including Real-Tool and Snow Brakes snow guards.

M.J. Mullane Company. This brochure discloses cast snow and ice guards.

M.J. Mullane Company. This brochure discloses snow guards.

Snoblox advertisement in Metal Architecture, August 2001, page 62.

Snojax, Inc., advertisement in Metal Construction News, 1993.

4. Of the art mentioned in paragraph 3 above, it is believed that the most possibly relevant art is found in Lee et al., US D364556; Cline, US D418403; Smeja et al., US 5471799 and US 5901507; and in the Snow Brakes snow guards found in the Berger Building Products brochure.

5. This information is provided in accord with the Applicant's duty of disclosure under 37 CFR 1.56, and for the convenience of the Examiner. However, unless otherwise indicated, provision of the present information is not itself an admission that the cited art is applicable or relevant to the present claimed invention under the meaning of 35 USC 102 and/or 103 and the doctrine of equivalents. The full range of equivalents is asserted hereby. Furthermore, the Applicant(s) reserve(s) the right to contest enablement, as may be appropriate, and/or any nominal publication date of any cited art. All other rights are reserved.

6. Clearly, such information alone does not anticipate, nor does any of it alone or in combination with any other reference cited by the present paper or other reference of record render obvious, the present claim(s) of the instant invention.

7. Please indicate consideration of the cited art on the Form PTO-1449, and return a copy of the inscribed form with the next Office action.

8. A Notice of Allowance is solicited.

Respectfully,

MICHAEL J. MULLANE

Dated: October 19, 2001 A.D.

Per Christopher John Rudy
Christopher John Rudy
PTO Registration No. 31,873
209 Huron Avenue, Suite 8
Port Huron, Michigan 48060
Telephone (810) 982-4221

Encl

P.S. This claims the benefit of and incorporates by reference provisional application No. 60/281,627 filed Oct. 19, 2000. A copy of the same is also enclosed, and it is cited on the Form PTO-1449 as well. Unlike most of the other copies, it is 1-sided rather than 2-sided.